A

LETTER

From a GENTLEMAN

IN

Nova-Scotia,

TO

A Perſon of Diſtinction on the Continent.

Deſcribing the preſent State of Government in that Colony.

With ſome ſeaſonable Remarks.

Printed 1756.

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LETTER

FROM A GENTLEMAN

IN

Nova-Scotia,

TO

A Friend of His in London, containing an

IMPARTIAL

Account of the Dissensions lately subsisting between the Governor and Council of that Province:

With some Observations

UPON

The Conduct of both Parties.

Printed in the Year 1759.

Halifax, March 1. 1756.

SIR,

NOtwithſtanding the pleaſure I receive from the honour you are pleaſed to confer on me, in favouring me with your confidence, and in complimenting my ability to give you a deſcription of the preſent ſtate of our government; and aſking my opinion what methods would be moſt conducive to improve the advantages gained over the *French* in this colony, from the reduction of *Beauſejour*, and the exterpation of the perfidious Neutrals; I muſt confeſs, that it being a matter of ſuch vaſt importance to the intereſt of the *Britiſh* nation in general, and the colonies in *America* in particular, that I ſhould very gladly excuſe my ſelf. However, as I cannot now depart from my conſtant practice of treating all your requeſts as commands, you muſt be obey'd.

The model of the preſent government in *N—a S—a*, differs from all others that I am acquainted with in the *Engliſh* dominions. For here we have a L—t G—r, who is a L—t C—l of one of his Ma-

jesty's regiments in this province, and senior officer in the army upon the spot, who commands (now) in the absence of the G—r. As our constitution is singular, so in this particular is it that this L—t G—r takes upon himself the stile and title of Excellency;—and he seems to be the first in that rank, who has discovered either an impatience to have a better title to it, or that his predecessors in the different provinces in *America*, had less sense of their own prerogative, or more modesty than himself.

The next branch of our legislative authority, is the king's council; and this consists of one captain in the army, who is also the Governor's secretary, and executes the office of secretary of the province. I mention this gentleman first, because in case of demise or absence of his E—y the L—t G—r, and the two senior C—rs who are both place-men, but on the civil list; this captain would command two L—t C—ls in the army, who are also C—rs and juniors to the captain; and the other three are a captain in the navy, and the two chief justices of the supream court of the province, and the inferiour court of common pleas.

The other branch, which is to be found in all the other *English* colonies and islands in *America*, is at present VACANT.—For hitherto it has not been filled up—so that all the laws, edicts, proclamations, call them what you will, are promulged, and absolute obedience

bedience thereto exacted from the free born ſubjects of *England*, by theſe two branches only of authority :—However ſtrange it may appear, they impoſe taxes, and execute by virtue of their laws or ordinances, corporal puniſhments ;—ſo that ſhould they create new felonies, it is not to be wonder'd at ; for one of their laws publiſhed in the *Boſton* news-paper, as an extraordinary thing in its kind, lays reſtraint on the ſpeech, and renders it criminal to utter opinions different from the unerring judgment of his Ex—y and H—rs. From the firſt ſettlement of the province until *October* 1754, the ſupream court of the province conſiſted of the Governour and Council, and in his abſence his Ex—y the L—t G—r and their H—rs, acted as the ſupream judges in all law caſes.——As it was the original plan, to frame this goverment after the model of the government of *Virginia*, ſo the firſt commiſſion appointing the juſtices of the lower courts, was here in the ſame manner as it is there under the denomination of county courts ; and they were held monthly :—inconveniencies ſoon appearing, the commiſſion was altered for the lower courts to be model'd after the method of the *New-England* inferiour court of common pleas ; and they were ſtated to be held four times a year, which is the preſent practice.

As the ſame men are juſtices of the peace, who are juſtices of the inferiour court of common pleas, the quarter ſeſſions is open'd the ſame day, and the ſame jury-men attend both courts ; theſe are eight juſtices named

named in both theſe commiſſions, ſix of whom are place-men, and dependants upon the government for their ſubſiſtence.—And 'tis obſervable that a uniformity runs through every part of this conſtitution, and I believe it is ſingular that the provoſt marſhall or high ſheriff, has the arbitrary appointment of all jury-men; no ſuch thing as balloting jurors having ever yet been practiſed here.—In *October* 1754, a chief juſtice for this province arrived from *England*; a gentleman, whoſe whole life ſeems to have been ſpent in the ſevere ſtudy of the law;—for in that he is allowed to be a great man, or in other terms an accompliſhed lawyer.—To compleat the ſingularity of all the material parts of our government, this gentleman, in order to countenance his Ex—y the L—t G—r, takes upon himſelf the ſtile and title of his Lordſhip:—and in the ſupream court he now ſits ALONE; ſometimes in ſcarlet, ſometimes in black robes, but always with a very large full-bottom wigg, after the example of the judges in *Weſtminſter-Hall.*

Thus Sir, you ſee that notwithſtanding we are the youngeſt child as a colony upon the continent, we are vain enough to ſet examples which no other colony has yet undertaken.

You demand of me, whether the people have no voice in the choice of any town officers? I muſt do juſtice to the adminiſtration, by informing you that the people have a priviledge of this ſort, for every year

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new conſtables are choſen; and this being an office of great importance, and a neceſſity of the moſt able and ſkilful pereſons to execute the charge, twelve conſtables are returned by majority of voices every year; thus we have an election once a year: and this is the only inſtance wherein the people have any connection with the adminiſtration, ſaving the obedience they are compel'd to render to the ſtatutes, laws, ordinances, edicts, or whatever you are pleaſed to call them, that are framed and publiſhed as coercive under the ſanction of his Ex—y and H—rs.

This is, Sir, a very candid and juſt repreſentation of the preſent adminiſtration in *Nova-Scotia*.

As I never attempted to claim any pretention to the character of a polititian, ſo you cannot expect other remarks from me than what are obvious to the meaneſt capacity; and ſuch as are the natural dictates of common ſenſe. The certainty of a very conſiderable number of *Neutrals*, not leſs than 6000 at leaſt being remov'd from this province, is a fact evident to all the northern colonies to which they have been carried; and that they have left behind them the ſeveral farms upon which they ſubſiſted, is likewiſe certain.—The climate of the country being as healthy as any upon the globe, is univerſally agreed—as alſo that a more fertile ſoil is not to be found in *America*, is likewiſe agreed by all good judges in agriculture. Nothing then remains now to be done, but for a proper encouragement to

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be pointed out to fill the vacated lands with ſubjects ſincerely and heartily attached to the intereſts of his majeſty, and the deſcendants of his royal houſe.—His majeſty's diſpoſition, not only to defend and protect his ſubjects under the full enjoyment of the liberties they are born to, but to extend the ſame into his american dominions; is likewiſe a fact as well known to each individual of his ſubjects there, as that he is king of *Great-Britain*. Nothing ſurely remains to remove the firſt objection, which is too generally made againſt coming to ſettle in this province; namely, that the eſſential of engliſh men's priviledges, I mean that of the repreſentatives of the people in the third branch of legiſlative authority: but that a proper repreſentation be made to his majeſty, and there can be no doubt but the royal order will immediately be forwarded upon ſuch repreſentation.

Another prevailing objection urg'd by thoſe who are well diſpoſed to occupy the vacated lands is, it ſeems, that the behaviour of the military force employed by his majeſty for the defence of his ſubjects in this province, has been ſo very extraordinary, that men who can otherways provide for themſelves, will never come within the reach of their inſults and ravages.

'Tis needleſs to inform you, Sir, becauſe I am ſenſible you will ſoon be informed from a cloud of witneſſes, that the extravagancies of the military people here, have carried them ſuch lengths, that the

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fewel for ſome of the ſoldiers barracks, have been ſupplied great part of this winter by pulling to pieces and burning the houſes built by the ſetlers, at their own charge and expence.

To remove this objection, I know but one poſſible method; and that is, to *remove* the authors of it: As it may be urg'd that ſuch a ſtep would be to expoſe the colony an eaſy conqueſt to the *French*; I moſt humbly beg leave with the greateſt deference, to propoſe an expedient that may obviate that difficulty, and perhaps point out a method to ſecure the province with more certainty to his majeſty; and have an immediate tendency to fill it with uſeful inhabitants, with leſs expence to the crown, and more ſatisfaction to all his faithful ſubjects in the colonies.

'Tis very notorious that the regular troops which come from *Europe*, are altogether unſkilled in the Indian method of fighting; which does not ſeem to be diſputed ſince general *Braddock*'s defeat: and in all the ſkirmiſhes that have happened in this province, ſome of the regulars have been pillaged of their ſcalps;—but never have they been able to produce a ſingle trophy of that kind, to the enemy's loſs.

Should this province be threatned with a formal invaſion, from an expedition carried on by regular troops and ſhipping from old *France*, we cannot doubt being ſupported and relieved by a ſufficient naval armament to repel the invaders.

The greateſt thing then to be attended to, is how to ſecure the planters who may ſet down upon their lands from the ravages of the Indian enemy; and for this purpoſe experience has confirmed to us, that regulars are uſeleſs; for part of the troops have more than once or twice, been ſcalped in a manner under the walls of their forts, where there was not any ſettlements to defend.

As *Americans* are the only troops calculated to encounter the ſavages,—I would with the greateſt ſubmiſſion recommend to your conſideration, whether 2000 men to be raiſed in all *America*, either to be regimented or as independant companies, ſo that a ſaving be made of all field officers; to be victualled and paid upon a footing with the other *American* troops, and diſcharged either at the end of the preſent contention, or ſooner as occaſion may offer; would not be more ſucceſsful than double that number of regulars:—their uſefulneſs in this reſpect, I conſider as one of the leaſt advantages ariſing to the province. For they would conſiſt of people unacquainted with arbitrary diſpoſitions, no contention would ever ariſe between military and civil authority;—nor between the *Americans* and *Europeans*: for 'tis evident in *America*, all ſtrangers that behave themſelves with decency, are conſtantly treated with reſpect and humanity. A different conduct influences ſome *Europeans* here to the prejudice of the *Americans*, who are almoſt totally driven away from the province;—men bred up under a civil government,

vernment, would for ever be themſelves the moſt forward in rendering their aſſiſtance to maintain the authority of the civil magiſtrate.

I would further propoſe that as an encouragement for ſufficient numbers to enter into this ſervice, that they ſhould be informed that during their ſervice they ſhould be intitled to ſome part of the vacated lands, where they might in the interval of their duty, employ their time for the benefit of themſelves and families in improving their lands; by which method at the time of their diſcharge, the colony would be enriched with a number of ſetlers without any expence other than that which muſt be expended on the ſame number of regular troops.

Nothing of this ſort can be expected from men who enter the army for life, and ſubject to be removed from one part of the province to another in their circle of duty.—Whereas in the ſervice of *Americans*, no occaſion of relieving the poſts they are deſtined to, would offer among men who might be put into ſuch a poſture as to be imployed, as well for the defence of their own poſſeſſions and families, as thoſe of their neighbours.—Should any regular troops be thought neceſſary to be planted in this province, it is to be hoped thoſe raiſed in *America*, will be preferred; and as to the other regular troops, I need not mention that they are greatly qualified to defend ſuch forts and paſſes in all the frontiers of *America*; and many ſuch poſts there are from *St. John*'s river in this province,

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even to fort *Du Queſne*, which will require at leaſt four or five regiments to garriſon; and this diſtribution of regular troops, would be a great ſaving to the ſeveral colonies who are now obliged to garriſon their forts with men of their own, who might be much better employed and much more to their own ſatisfaction in any other way.

Thus, Sir, have I given you in obedience to your commands, the rough ſketch or out-lines of a plan to eſtabliſh this colony a ſecure and moſt valuable frontier to the engliſh poſſeſſions in *America*.—The more maſterly touches requiſite to finiſh ſo great a work, is under your direction in a very able hand :—I ſhall conclude with one or two ſhort remarks,—That not a ſingle inſtance can be found in engliſh hiſtory, of any colony being planted with ſucceſs under the direction of military meaſures—The more expoſed to dangers theſe ſetlers live, the more neceſſary to encreaſe their priviledges to make their ſituations ſit eaſy upon 'em ; and therefore ought they to be the leaſt of any people living ſubject to military influence, when they can be protected, or in other words, enabled to protect themſelves by a better method.

BRITISH MUSEUM

I am,

Sir, your moſt obedient,

and very humble Servant,

J. W.